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*Attorneys for Defendants  
Gold Star Tobacco Inc. and Samer Abdelmaseh*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**STARBUZZ TOBACCO, INC., a  
California corporation**

**Plaintiff,**

V.

GOLD STAR TOBACCO INC., a New Jersey corporation; SAMER ABDELMASEH, an individual; and DOES 1-10, inclusive.

### Defendants.

## AND RELATED COUNTERCLAIM

Case No.: 8:19-cv-00408-JVS-DFM

## **Honorable James V. Selna**

**AMENDED  
JUDGMENT**

**JUDGMENT**

AND NOW, this 15th day of May, 2020, it is hereby ORDERED, ADJUDGED AND DECREED that this amended judgment is entered against Plaintiff Starbuzz Tobacco, Inc.’s (“Starbuzz”) claims in favor of Defendants Gold Star Tobacco Inc. (“Gold Star”) and Samer Abdemaseh (“Abdemaseh”), (collectively “Defendants”); and final judgement is entered against Plaintiff Starbuzz as to the counterclaim in Gold Star’s Answer and Counterclaim, as follows:

1. All of Starbuzz’s claims set forth in its Complaint, including its claims for: (a) “Copyright Infringement Under 17 U.S.C. § 101 et seq.”; (b) “Declaratory Relief Under 17 U.S.C. §§ 102;” (c) “Fraud;” and (d) “Declaratory Relief Re: Ineligibility to Register USPTO Trademark Application Serial No. 87/818,151” are hereby DISMISSED WITH PREJUDICE pursuant to F.R.C.P. Rules 37 and 41, and Starbuzz shall recover nothing against Defendants.
2. Default Judgment is hereby entered in favor of Defendant Gold Star and against Starbuzz as to the Counterclaim of Defendant Gold Star for “Declaration that Copyright Registration VAu 1-313-168 and Supplementary Copyright Registration No. Vau1-364-983 are Invalid and Unenforceable,” and Starbuzz’s Answer to Defendant Gold Star’s Counterclaim is hereby stricken. Judgment is thus entered declaring that U.S. Copyright Registration No. VAu 1-313-168 and U.S. Supplementary Copyright Registration No. Vau1-364-983 are invalid.
3. Defendants are the prevailing parties in this action for purposes of 17 U.S.C. § 505.

1           4. Defendants shall recover from Plaintiff an award of \$456,162.75  
2           in attorneys' fees.

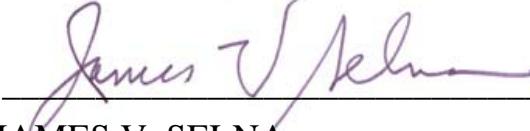
3           5. Plaintiff shall make payment to Defendants of \$456,162.75,  
4           pursuant to this Amended Judgment, within forty-five (45) days of its  
5           entry; provided, however, that if Plaintiff timely files an appeal from  
6           this Amended Judgment, Plaintiff's obligation to remit such  
7           payment shall be stayed during the appellate process pursuant to  
8           Fed. R. Civ. P. 62(d) upon the timely posting of a compliant  
9           supersedeas bond in the full amount of the Judgment in order to secure  
the Judgment.

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11           6. Post-judgment interest is awarded against Plaintiff in favor of  
12           Defendants in an amount that is to be calculated from entry of  
13           this Amended Judgment at a rate equal to the weekly average 1-  
14           year constant maturity Treasury yield, as published by the Board  
15           of Governors of the Federal Reserve System, for the calendar  
16           week preceding the date of the judgment, or, as prescribed by  
17           law, computed daily, and compounded annually.

18           7. This Amended Judgment is entered without prejudice to any  
19           party's right to further or different relief.

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21           **IT IS SO ORDERED, ADJUDGED AND DECREED.**

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25           Dated: May 15, 2020

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28           JAMES V. SELNA

29           UNITED STATES DISTRICT JUDGE